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## UNIT 12 EVOLVING NORMS OF ETHICS\*

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- 12.3 Ethical Dilemmas and Issues
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### 12.0 OBJECTIVES

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After reading this Unit, you should be able to:

- Explain the meaning and importance of ethics;
- Discuss the norms of ethics in governance; and
- Examine the relevance of evolving a code of ethics.

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### 12.1 INTRODUCTION

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Public ethics is a critical component of governance. Although the study of ethics has been at the heart of intellectual thought since the earliest writings by the ancient Indians (e.g., Kautilya's Arthashastra), Greeks (e.g., Plato's Republic and Aristotle's Politics) and ancient Chinese (e.g., Confucius: His Life and Thought), contemporary administrative governance has been rather slow to recognize its own ethical contours. Now, in the globalisation era, the public sector is reinventing itself and realising the need for national and global ethical standards. Today, more public sector organisations than private organisations (including businesses) have some or the other code of ethics for their employees.

The code of ethics is a commitment to ethical norms or professional conduct for governance practices in the public sector. The legitimacy and stability of a political system get enhanced when appointed officials and public servants obey the Constitutional rules, statutory laws and adhere to high professional standards and ethical precepts. Adherence to the rules also helps to prevent charges of corruption, and misfeasance, thereby diminishing public cynicism and legal embarrassments to those in power and governing institutions.

So long as behaviour and actions of the employees are within ethical framework and norms, well-being of the society remains unfettered. Deviations from external controls and acceptable limits may call for further

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constraints on their autonomy and functioning. Professions in general, and specific professions or individual professions in particular, do contribute to the development of internal controls on the conduct and behaviour of their members. They prescribe ethical norms or a code of ethics for their members to act with the highest standards of personal and professional integrity and honesty in their roles. This Unit discusses the concept of ethics and ethical standards. It examines the reasons for unethical behaviour and makes a case for having a more relevant code of ethics for civil servants.

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## 12.2 CONCEPT OF ETHICS

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The term 'ethics' refers to accepted principles that govern the conduct of members of a profession or the action of an organisation. It helps them sift morally right from morally wrong. The Cambridge Dictionary of Philosophy states that the word 'ethics' is "commonly used interchangeably with 'morality'... and sometimes it is used more narrowly to mean the moral principles of a particular tradition, group or individual" (Deigh, 1995).

Bottorff (1997) has described 'ethics' as 'a body of principles or standards of human conduct that govern the behaviour of individuals and groups. According to Bowman (1983), 'ethics' is associated with rules and standards, morals, right and wrong, and values of honesty and integrity. Further, he says that ethics has something to do with 'impartiality and fairness'. Ethics is a branch of philosophy that deals with the study of moral principles in human conduct. It is closely related to the concept of morality.

Moral values are indispensable for good governance. In public administration, ethics focuses on how the public administrator should question and reflect in order to be able to act responsibly. Kathryn G. Denhardt (cited in Dhameja 1999) feels that to be ethical, an administrator has to independently engage in the process of:

- i) Examining and questioning the standards in the light of which administrative decisions are made;
- ii) Relating with social concerns and organisational goals and reflecting a commitment to these goals;
- iii) Adapting to the changes in the environment; and
- iv) Preparing to be held responsible and accountable for the decisions made in the individual and professional capacity.

The Second Administrative Reforms Commission (ARC, 2007), defines the term 'ethics' as 'a set of standards that a society sets on itself and which helps guide behaviour and choices and actions. The crux of ethical behaviour does not lie in bold words and expressions enshrined as standards but in their adoption in action, in sanctions against their violations, in putting in place competent disciplinary bodies to investigate allegations of violations, in imposing sanctions quickly and in promoting a culture of integrity. The Commission is aware of the fact that, standards do not, by themselves, ensure ethical behaviour; that requires a robust culture of integrity.

While providing a good definition of administrative ethics, Thompson (1985) has observed that administrative ethics emphasises on:

- i) The rights and duties which individuals should respect when they act in ways that seriously affect the well-being of other individuals and society; and
- ii) The conditions that collective practices and policies should satisfy when they similarly affect the well-being of individuals and society.

In other words, administrative morality requires both good character and just behaviour. Administrative ethics is the opposite of administrative corruption, which is seen to be the abuse of one's government job to promote personal gain. Corrupt people go far beyond the norms of ethical standards. While adopting a practical approach to ethics of public service, Denhardt (*op. cit.*) defines administrative ethics as 'a process of independently critiquing decision standards, based on core social values that can be discovered, within reasonable organisational boundaries that can be defined, subject to personal and professional accountability'. Her approach is about human nature. Cutting across these are issues of individual conduct and autonomy, all of which must be balanced with attention to administrative action. Thus, ethics as a philosophical subject involves the study of values and the justification for right and good actions.

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## 12.3 ETHICAL DILEMMAS AND ISSUES

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The foundations of 'ethics' in India emanate from its religious texts as well as its philosophical discourse. Besides, the foundation of ethics is well-laid down in our Constitutional provisions. The Constitution of India talks of: i) optimal crafting of steering power, ii) fair distribution of power amongst constituents, iii) an elaborate system of checks and balances, iv) comprehensive Fundamental Rights, v) Directive Principles of State Policy, vi) an amalgam of Constitutional authorities, vii) adequate space for sovereign will-formation and assertion, viii) structures of governance accountabilities, ix) judicial review, and x) creation of All-India Services.

By now, there is sufficient governing experience of nation-building in India to allow an introspective analysis of administrative ethics for its people. The Republic of India, by now, has several strengths on this count: i) universal adult franchise, ii) fair and periodic elections, iii) peaceful political acceptance of election results, iv) respect for judicial verdicts, v) right to information, vi) public interest litigation jurisprudence, vii) doctrine of basic-structure of the Constitution, viii) committee system of the legislatures, ix) cooperative federalism, and x) freedom of the print and electronic media. Cumulatively, they have a definite positive impact on administrative ethics and behaviour in India.

Ethics of sustainable development stresses on an integrated vision of human economic action and its socio-environmental impact. It takes adequate care of the voiceless populations in human settlements, environmental protection, and justice for the future generations. It is acutely aware of the price the society pays for growing inequality of wealth and understands the value of capability-building investment in human resource development.

Against this backdrop, it is important that the civil servants uphold the tradition of ethical values enshrined in the Constitution. It is important that conduct rules are clear and understandable. O.P Dwivedi (Cited in Dhameja,

*op.cit.*) raises certain questions that could arise out of unclear conduct rules, which he calls ethical dilemmas. These are:

- i) What favours are acceptable without being considered discourteous and rude. Should any and all kinds of gifts and hospitality be avoided? Or should it be limited to a specified minimum? If so, what should be that minimum?
- ii) Is a public servant only a public servant during office hours?
- iii) Should the public servants interpret policies and programmes according to their individual perceptions of right and wrong or should they adhere to the values of the institutions they are serving?
- iv) What should public servants do if their personal honesty and integrity appear to be out of place in their work environment?

In the changing complexion of the role of public servants, it is essential that the ethical codes go beyond the 'do s' and 'don'ts' of the service conduct rules. Major characteristics of any code should be:

- It must serve as a norm of behaviour according to which fresh entrants could be counselled;
- It must serve as a comprehensive guide for everyday behaviour at the workplace, a standard by which behaviour could be evaluated;
- It must serve as a tool of administrative control.

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## **12.5 NEED FOR ADMINISTRATIVE ETHICS**

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Public employees in the course of taking or implementing decisions are often faced with the dilemma of choosing between obeying organisational policies and serving the needs of their clients. In a bureaucratic structure, an individual authority and responsibility is dictated by an individual's job description. The result is that he tends to follow blindly, regardless of any ethical dilemmas. There is an urgent need for administrative ethics as reasons are aplenty for administrators to indulge in unethical behaviour.

Unethical behaviour may result from individual and organisational factors. They may also occur despite clearly defined codes of ethics. In some cases, service terms and conditions, such as dissatisfaction with wages and benefits, may influence individuals to take what they feel is their due. Other factors may concern organisational culture, whereby a culture of getting the job done at any cost prompts and promotes disregard for ethical considerations in the interest of achieving results.

Ferrell and Skinner (1988) argue that bureaucracy's centralised and hierarchical power base actually helps create opportunities for unethical behaviour. As the discretion of rank-and-file and middle-level bureaucrats is severely limited, these bureaucrats tend to follow authority blindly, regardless of any administrative ethical standards. Nevertheless, codes of conduct are of tremendous importance towards enduring ethical conduct.

Public agencies, whether belonging to the public sector or cooperative sector, have an accountability towards the public since they contribute to the financial revenue of government. The accountability of the public agencies

is primarily concerned with preventing abuse of power and misuse of public resources. However, it needs to be guided by values such as responsiveness, fair play and integrity. Public agencies must shun bias and arbitrariness in their actions and ensure a level-playing field to citizens.

Materialism, regarded as the most superior value, is the main cause of unethical deeds. ‘Those who indulge in corrupt practices justify their actions as “being practical”, else they would lose out in the race for power. No wonder everybody wants power, because we as a society, salute the powerful. We adore the richest people as our role models’ (Rajneesh, 2013).

Erosion of ethical values results in corruption. Mervin Alexander has argued that corruption is harmful for three reasons. *First*, it is anti-national. The Hawala Scam showed how anti-national militants were getting money from abroad through hawala. *Second*, corruption is anti-poor since the resources meant for poverty alleviation schemes are siphoned off by corrupt politicians and bureaucrats. *Third*, it is anti-economic development as demonstrated by the collapse of the Southeast Asian economies. It adversely affects administrative legitimacy by undermining the structures of administration and eroding the confidence of the people in administration (Datta, 2013).

These tendencies clearly underscore the importance of adhering to administrative ethical values. Employees who work for public agencies with such incongruent policies are often placed in an uncomfortable position. They attempt to uphold organisational policies to the detriment of the very people the organisation is meant to serve. In choosing to meet the needs of their clients, employees violate organisational policies and put themselves at risk. Such policies need to be reviewed to eliminate this unnecessary ethical dilemma. Until then, choosing the client’s interest over the organisational interest may be the most ethical action of all.

Thus, a potential cure for corrupt practices lie in organisational code of ethics. Strait (1998) contends that public employees ‘must be able to remain, within the framework of three goals: loyalty to the organisation, responsiveness to the needs of the public and consideration for the employees’ own objectives and desires. These goals provide an environment that is laden with ethical dilemmas.

A reasonably effective, accountable, responsive, democratic administration will fail to deliver services to the satisfaction of the people at large, if it does not adhere to proper ethical standards. On the other hand, people themselves are bound to suffer economic and social deprivation and lose the benefits of good governance, if they themselves either patronize or practice corruption in their personal way of living (Mukhopadhyay, 2013).

### Check Your Progress 1

- Note:** i) Use the space given below for your answers.  
ii) Check your answers with those given at the end of the Unit.

1. Explain the concept of ethics.

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2. What are the different ethical dilemmas?

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3. Examine the need and relevance of ethics.

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## 12.6 EVOLVING A CODE OF ETHICS

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Under the chairpersonship of the cabinet secretary, a Chief Secretaries Conference was held in 1996 and finalized a charter of ethics and a civil service code based on values such as secularism, equality, impartiality, inclusive growth and social justice. This Conference reiterated that the loyalty of the civil servants should only be to serve the public and the rule of law. But unfortunately, nothing concrete was heard about this recommendation in the course of time. In 1997, first the judiciary and then a group of civil servants adopted resolutions for reinstating values such as integrity, professionalism, rule of law, probity, impartial leadership, transparency, efficiency and effectiveness in service delivery.

In Britain, the Committee on Standards in Public Life, sometimes referred to as Nolan Committee after its first Chairperson Lord Nolan, was set up in 1994 in the face of a series of scams and political scandals. The Committee was constituted as a standing body with wide terms of reference to recommend on policy measures and organisational reforms for cleansing public offices and suggest the principles of a comprehensive code of conduct with a view to making the government offices, Parliament, civil service and high-level financial institutions more transparent and accountable.

In 1997 and in 2013, the Committee's terms of reference were expanded. The first Report, published in 1995, by the Nolan Committee, drew up the Seven Principles of Public Life as a restatement of the general principles of conduct underpinning public life, and stated that 'all public bodies should draw up Codes of Conduct incorporating the Seven Principles: Internal systems for maintaining standards should be supported by independent scrutiny; more needed to be done to promote and reinforce standards of conduct in public bodies, in particular through guidance and training, including induction training.

These Seven Principles of Public Life, popularly known as the Nolan Principles, which are included in the Ministerial Code are as follows:

1. *Selflessness*: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

2. *Integrity*: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
3. *Objectivity*: In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, the holders of public office should make choices on objective criteria.
4. *Accountability*: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate for their office.
5. *Openness*: Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
6. *Honesty*: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflict arising in a way that protects the public interest.
7. *Leadership*: Holders of public office should promote and support these principles by leadership and example.

The Government of India appointed the Second Administrative Reforms Commission (ARC) on 31 August 2005 under the chairpersonship of S. Veerappa Moily. The Commission in its fourth Report 'Ethics in Governance' recommended 'greater transparency, accountability and ethical behaviour in politics, judiciary and administration. Corruption is an important manifestation of the failure of ethics. Consequently, the Commission also suggested measures for reducing or eliminating corruption.

The wide-ranging recommendations of the ARC include partial State funding of elections, tightening of the anti-defection law and adoption of a code of ethics for ministers, legislatures, judiciary and civil servants. In order to check corruption, it has proposed that the provisions of the *Prevention of Corruption Act*, 1988 should be strengthened by making corrupt public servants liable for paying damages and confiscation of illegally acquired property. The Commission has also proposed fast tracking of trials in corruption cases and establishment of strong institutions of Lokpal/Ombudsman at the national, state and local levels with powers to look into charges of corruption against high public functionaries, including chief ministers, ministers, Members of Parliament or MPs and Members of Legislative Assemblies or MLAs.

Recommending a code of ethics for civil servants, the Second ARC observed: 'Public Service values towards which all public servants should aspire, should be defined and made applicable to all tiers of government and parastatal organisations. Any transgression of those values should be treated as misconduct, inviting punishment'. It pondered over the fact as to why existing disciplinary procedures are not used to curb bribery, bad quality of

public service and inefficiency.

The Second ARC recommended that, in addition to commitment to the Constitution, these values should include the following:

1. Adherence to the highest standards of probity, integrity and conduct;
2. Impartiality and non-partisanship;
3. Objectivity;
4. Commitment to the citizens' concerns and public good; and
5. Empathy for the vulnerable and weaker sections of society.

The Commission also suggested the inclusion of the following principles in the Code of Ethics for Civil Servants in India:

1. *Integrity*: Civil servants should be guided solely by public interest in their official decision-making and not by financial or other considerations either in respect of themselves, their families or their friends.
2. *Impartiality*: Civil servants in carrying out their official work, including functions such as procurement, recruitment, delivery of services and so on should take decisions based on merit alone.
3. *Commitment to public service*: Civil servants should deliver services in a fair, effective, impartial and courteous manner.
4. *Open accountability*: Civil servants are accountable for their decisions and actions, and should be willing to subject themselves to appropriate scrutiny for this purpose.
5. *Devotion to duty*: Civil servants should maintain absolute and unstinting devotion towards their duties and responsibilities at all times.
6. *Exemplary behaviour*: Civil servants shall treat all members of the public with respect and courtesy and, at all times, should behave in a manner that upholds the rich traditions of the civil services (Second ARC, 2007).

To achieve the values and goals, the civil servants need to practice ethical norms of conduct and behaviour. For an ethical proposition to be useful: a) the values taken as organisational objectives must be definite, so that their degree of realisation in a situation can be accessed ; and b) it must be possible to form judgements as to the probability that particular actions will implement these objectives (Dhameja, *op.cit.*)

Good governance and not necessarily less government is the need of the hour. While the role of governments as facilitators is welcome, their basic function is ethical governance. 'Ethical values are indispensable for Good Governance, the core of which stands for decision-making and policy implementation characterised by accountability, transparency, responsiveness, effectiveness, equity, participation and inclusiveness. (Gandhi, 1948).

The Organisation for Economic Cooperation and Development (OECD) called for an ethical infrastructure referring to a range of tools and processes for regulating or checking undesirable behaviour and / or providing incentives to encourage good conduct of public officials.

It is instructive to note in this context the *eight-point* character evolved by the OECD (1996). These are:

1. Political commitment for ethical governance;
2. Evolving an efficient accountability mechanism;
3. Creation of effective legal framework;
4. Need for evolving workable code of conduct;
5. Professional socialisation mechanisms (including training);
6. Creation of supportive public service conditions;
7. Need for a central ethics coordinating body; and
8. Need for an energetic civil society able to act as a watchdog.

Good governance implies that affairs of the State are so managed that the material and social well-being of all the citizens are effectively looked after within a system of properly organised network of institutions. Values are important for this kind of society and herein comes the role of ethics. Collective good has to be promoted for harmonious social development, and this calls for ethics in governance. The governance process in the Third World countries suffers from certain universally present features of the public service management namely apathy, evasion, incompetence, obstructionist tendencies and lack of accountability.

Unfortunately, the Indian government sector cannot boast of high moral standards. Superior courts have made highly critical comments on the conduct of bureaucrats, and the media is full of reports of high-handedness, corruption and other forms of inappropriate conduct of the bureaucrats. Honest and upright civil servants themselves are concerned about the low morality of the bureaucracy and have been voicing their concern at various fora.

India has only marginally improved its ranking position in the anti-graft watchdog Transparency International's Corruption Perceptions Index (CPI) from 94 in 2012 to 18 in 2020. Late K. R. Narayanan, President of India, while delivering his address on the eve of the Independence Day, on 14 August 2000, spoke critically of the nexus between politicians and criminals, who are in the process of polluting the environment of the country. The malpractices in every sphere have become mutually consensual and are engulfing the entire system (TOI, 2000).

In studying the problem of the criminalisation of politics and of the nexus among criminals, the N.N Vohra Committee in its Report (October 1993) observed that the big smuggling Syndicates, having international linkages, have spread into and infected the various economic and financial activities, including hawala transactions, circulation of black money and operation of a vicious parallel economy causing serious damage to the economic fibre of

the country. The Syndicates have acquired substantial financial and muscle power. They have thoroughly corrupted the government machinery at all levels and wield enough influence to make the task of investigating and prosecuting agencies extremely difficult. Even the members of the judicial system have not escaped the dominance of the mafia.

The modern world is marked by a widespread explosion of knowledge and tremendous achievements in science and technology coupled with a general decline and reversal of human values, as well as an alarming deterioration of moral and mental health both of individuals and societies. The recent spate of crimes, violence, terrorism and drug abuse makes us aware of the significance of human values, without which human life loses all meaning.

Not even a day goes by when news of corruption and unethical behaviour is not covered by the news channels and the social media. The paucity of ethical values is contagious and thus the society itself has become unethical. Mention may be made of Wakf Board Land Scam (2008); 2G Spectrum Scam (2008); Commonwealth Games Scam (2010); Satyam Scam (2009); India Coal Allocation Scam (2012); Nirav Modi PNB Bank Scam (2018), and the list goes on.

It is well-known that some of the ministers at the Centre and the states have criminal backgrounds. Political corruption has been mounting rapidly due to entry of large number of criminal elements into the Parliament and state legislatures. It is pointed out that 1,581 lawmakers had criminal cases pending against them at the time of filing nominations in 2014. In an order aimed at decriminalising politics, the Supreme Court on 14 December 2017 asked the Centre to set up 12 special courts by 1 March 2018 to exclusively hear cases against lawmakers facing criminal charges.

James D. Wolfensohn, president of the World Bank, recognising the praise and fears of globalisation, has observed in the World Development Report (1999/2000): “Globalisation is praised for bringing new opportunities for expanded markets and the spread of technology and management expertise, which in turn hold out the promise of greater productivity and a higher standard of living. Conversely, globalisation is feared and condemned because of the instability and undesired changes it can bring; to workers who fear losing their jobs to competition from imports; to banks and financial system and even entire economies that can be overwhelmed and driven into recession by flows of foreign capital, and, not least; to the global commons, which are threatened in many ways with irreversible change.”

Against this backdrop, evolving a practicable Code of Ethics is the need of the hour. Unless there is a Code of Ethics, which is more realistic and implementable, the problem of corruption will continue. The new code of ethics should include:

- Norms identifying conflicts of interest;
- Priorities guiding discussions in cases of conflict and indecision;
- Areas of commitment, fairness, honesty, justice and impartiality towards the service and fixing of responsibilities;

- Requirements for defining the administrator’s mandate;
- Norms governing participation and consultation of different groups in administrative processes;
- Methods of evaluating and disseminating the information contributed by the participating groups of administrators;
- Definition of limits of permissible secrecy;
- Extent of obligations of administrators in cases of external pressures, especially in cases of political manoeuvring;
- Extent of accountability at different levels with respect to duties performed;
- Extent of duties and obligations in cases of pressures from family and peer groups;
- Norms governing enforcement and evaluation of decisions and policies;
- Nature of monitoring mechanism for administrative tasks, which would include resource allocation and audit;
- Areas of citizen-administration interaction, norms governing such interaction and limits drawn for them;
- Rules governing administrative processes, especially in the areas of recruitment, training and career development with particular focus on flexibility and adaptability (Benvensite, 1984, *cited* in Dhameja, *op.cit.*).

Even the best of the codes cannot be effective if they are not implemented judiciously. Such codes still have not seen the light of the day, as both politicians and bureaucrats avoid them because of the apparent clash of interests. Moral and value judgements are not mere preferences and certainly require reasons or justifications, they must be subjected to some degree of rational analysis. Though the code may not reflect a consensus of opinion on ethical issues, it can provide direction and advice with regard to ethical conduct and assist administrators in analysing their options and alternatives in policy making.

**Check Your Progress 2**

- Note:** i) Use the space given below for your answer.  
 ii) Check your answer with that given at the end of the Unit.

1. Explain the need for evolving a code of ethics.  
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## 12.6 CONCLUSION

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The necessity of good governance calls for observance of administrative ethics. Ethical governance cannot be sustained unless it is created by moral and social institutions. The government structures are meant to facilitate such good governance. Building appropriate public morality and ethical conduct requires at all levels of the government functioning. As we find in this foregoing Unit, Indian administration has been, in comparison with other professions, slow to recognize its own ethical practices. Although, the government recognises its importance, it lags behind on the compliance programme of ethics code and regulations.

Adherence to ethical standards calls for a code of ethics. We know it is not easy to legislate morality. Still, a code of ethics could help in regulating ethical behaviour by providing a greater degree of precision and refinement needed for conduct of administrative matters. A code of ethics could thus serve as written standard of behaviour norms. The Unit attempted to examine these issues.

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## 12.7 GLOSSARY

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**Code of Ethics:** A formal statement of the ethical priorities of an organisation.

**Ethical Dilemma:** Situation in which no available alternatives seems ethically acceptable.

**Globalisation:** Trend of being away from distinct national economic unit, toward one huge global market.

**Judicial Review:** The power of the courts of a country to examine the actions of the legislative, executive, and administrative arms of the government and to gauge whether such actions are consistent with the Constitution.

**Political Economy:** The study of how political factors influence the functioning of an economic system.

**Privatisation:** The sale/outsourcing of State-owned enterprises to private investors.

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## 12.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

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### Check Your Progress 1

#### 1. Your answer should include the following points:

- The term 'ethics' refers to accepted principles that govern the conduct of members of a profession or an organisation.
- Ethics helps us sift morally right from wrong.
- The Cambridge Dictionary of Philosophy states that the word 'ethics' is "commonly used interchangeably with 'morality'... and sometimes it is used more narrowly to mean the moral principles of a particular tradition, group or individual".
- Ethics is a branch of philosophy that deals with the study of moral principles in human conduct. It is closely related to the concept of morality.
- The Second ARC (2007) defines the term 'ethic' as 'a set of standards that a society sets on itself and which helps guide behaviour and choices and actions.
- The crux of ethical behaviour does not lie in bold words and expressions enshrined as standards but in their adoption in action, and in sanctions against their violations etc.

## Organisational Issues

- Administrative morality requires both good character and just behaviour.
- Administrative ethics is the opposite of administrative corruption, which is seen to be the abuse of one's government job to promote personal gain.
- Religious foundation of ethics drawn from Indian philosophical traditions.
- Constitutional foundations of ethics are strong in India.

### 2. Your answer should include the following points:

O.P Dwivedi raises certain questions that could arise out of unclear conduct rules, which he calls ethical dilemmas. These are:

- What favours are acceptable without being considered discourteous and rude.
- Is a public servant only a public servant during office hours?
- Should the public servants interpret policies and programmes according to their individual perceptions of right and wrong or should they adhere to the values of the institutions they are serving?
- What should public servants do if their personal honesty and integrity appear to be out of place in their work environment?
- Code of ethics must serve as a norm of behaviour according to which fresh entrants could be counselled.
- It must serve as a comprehensive guide for everyday behaviour at the workplace, a standard by which behaviour could be evaluated.
- It must serve as a tool of administrative control.

### 3. Your answer should include the following points:

- Public employees in the course of taking or implementing decisions are often faced with the dilemma of choosing between obeying organisational policies and serving the needs of their clients.
- In a bureaucratic structure, an individual authority and responsibility is dictated by an individual's job description.
- Employees who work for public agencies with such incongruent policies are often placed in the uncomfortable position.
- They attempt to uphold organisational policies to the detriment of the very people the organisation is serving.
- A potential cure for corrupt practice lies in organisational code of ethics.
- But a reasonably effective, accountable, responsive, democratic administration will fail to deliver services to the satisfaction

of the people at large, if it does not adhere to proper ethical standards.

- On the other hand, people themselves are bound to suffer economic and social deprivation and lose the benefits of good governance, if they themselves either patronize or practice corruption.

## Check Your Progress 2

### 1. Your answer should include the following points:

- Under the chairpersonship of the cabinet secretary, a Chief Secretaries Conference was held in 1996 and finalised a charter of ethics and a civil service code based on values such as secularism, equality, impartiality, inclusive growth and social justice.
- This Conference reiterated that the loyalty of the civil servants should only be to serve the public and the rule of law.
- In Britain, the Committee on Standards in Public Life or the Nolan Committee was set up in 1994 in the face of a series of scams and political scandals.
- The Committee was constituted as a standing body with wide terms of reference to recommend policy measures and organisational reforms for cleansing public offices and suggest the principles of a comprehensive code of conduct.
- The first report by the Nolan Committee, drew up the Seven Principles of Public Life: Internal systems for maintaining standards should be supported by independent scrutiny.
- These Seven Principles of Public Life, popularly known as the Nolan Principles, which are included in the ministerial code are Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership.
- The Government of India appointed the Second ARC on 31 August 2005 under the chairpersonship of S. Veerappa Moily.
- The Commission in its fourth Report, Ethics in Governance recommended 'greater transparency, accountability and ethical behaviour in politics, judiciary and administration.
- The wide-ranging recommendations of the ARC include partial state funding of elections, tightening of the anti-defection law and adoption of a code of ethics for ministers, legislatures, judiciary and civil servants.
- In order to check corruption, it has proposed that the provisions of the *Prevention of Corruption Act*, 1988 should be strengthened by making corrupt public servants liable for paying damages and confiscation of illegally acquired property.
- The Commission has also proposed fast tracking of trials in corruption cases and establishment of strong institutions of

## Organisational Issues

Lokpal/Ombudsman at national, state and local levels with powers to look into charges of corruption against high public functionaries, including chief ministers, ministers, MPs and MLAs.

- The Commission recommended a code of ethics and suggested the inclusion of the principles of integrity, impartiality, commitment, accountability, devotion to duty, exemplary behaviour in the Code of Ethics for civil servants in India.



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